

Hon. Ricardo S. Martinez

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

KELLY SCHWARTZ,

Defendant.

NO. CR14-135RSM

**ORDER CONTINUING TRIAL DATE  
AND DEADLINE TO FILE  
PRETRIAL MOTIONS**

THE COURT, having considered the *Stipulated* Motion to Continue Trial Date and Deadline to File Pretrial Motions, any responses, filings, or memoranda related thereto, and all the files and records herein, the Court finds as follows:

1. The facts and circumstances are as set forth in the *Stipulated* Motion to Continue Trial Date and Deadline to File Pretrial Motions;

2. Failure to grant a continuance in this case will deny counsel the reasonable time necessary for effective preparation of trial and other pretrial proceedings, taking into account the exercise of due diligence;

3. Failure to grant a continuance would likely result in a miscarriage of justice;

1           4.     The ends of justice served by granting this continuance outweigh the best  
2 interest of the public and the defendants in a speedy trial;

3           5.     All these findings are made within the meaning of 18 U.S.C.  
4 § 3161(h)(7)(A) and (B)(i),(ii) and (iv);

5           6.     The period of time from the filing date of the *Stipulated Motion to*  
6 Continue Trial Date and Deadline to File Pretrial Motions until the new trial date, set  
7 forth below, shall be excludable time pursuant to the Speedy Trial Act, 18 U.S.C.  
8 § 3161(h)(7)(A).

9           IT IS THEREFORE ORDERED that:

10          1.     The trial date in this matter is continued to November 17, 2014.

11          2.     Pre-trial motions are due no later than October 2, 2014.

12          3.     The defendant shall immediately file with the Court a waiver of her rights  
13 under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*, through the aforementioned trial  
14 date, consistent with this Order.

15          DONE this 8 day of July 2014.

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18 RICARDO S. MARTINEZ  
19 UNITED STATES DISTRICT JUDGE  
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21 Presented By:

22  
23 s/ Steven T. Masada

24 STEVEN T. MASADA

25 Assistant United States Attorney  
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